IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2145 of 2005

Between:

1. Komanapally Jagannatham S/o Kolaiah, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
2. Juthuka Chiranjeevi S/o Satyanarayana, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
3. Juthuka Raju S/o Satyanarayana r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
4. Juthuka Bhaskara Rao S/o Gaddaiah r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
5. Mallipudi Satyam S/o China Brahmaiah r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
6. Mullipudi Abbulu Satyam r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
7. Mallipudi Gangaiah S/o Chinamarridi r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
8. Mallipudi Georgee S/o Reddy, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
9. Mallipudi Pallamma W/o Venkat Reddy r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
10. Mallipudi Peda Marridi S/o Brahmaiah r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
11. Mallipudi Sri Ramulu S/o Pallaiah r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
12. Mallipudi Pallaiah S/o Sree Ramulu r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
13. Mallipudi Prasad S/o Sree Ramulu, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
14. Mallipudi Doralaiah S/o Pallaiah, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
15. Mallipudi Satyanarayana S/o Doralaiah, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
16.Mallipudi ChinaRamakrishnaS/oDoralaiah r/oAddankivarilanka Village Kapileshwarapuram Mandal, East Godavari District.
17. Mallipudi Narsanna S/o Venkaiah r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.
18. Mallipudi China Arjunna S/o Narasanna, r/o Addankivarilanka Village,

Kapileshwarapuram Mandal, East Godavari District
19. Mallipudi Kanaka Druga S/oVenkata Rao r/oAddankivarilanka Village
Kapileshwarapuram Mandal, East Godavari District.
20. Mallipudi Ananada Rao S/o Venkaiah, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.
21. Mallipudi China Venkata Rao S/o China Venkat Reddy
r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.
22. Mallipudi China Brahmaiah S/o China Venkat Reddy
r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.
23. Mallipudi Peda Rama Krishna S/o Chinama Reddy
r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District
24. Mallipudi Eedukondalu S/o Chinama Reddy r/o Addankivarilanka
Village, Kapileshwarapuram Mandal, East Godavari District.
25. Mallipudi Chinama Reddy S/o Gangaiah r/o Addankivarilanka
Village, Kapileshwarapuram Mandal, East Godavari District
26. Mallipudi Srinu S/o Chinama Reddy, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
27. Mallipudi Bheemanna S/o Pallaiah, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
28. Mallipudi Vijya S/o Latchanna r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
29. Mallipudi Latchanna S/o Pallaiah r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
30. Mallipudi Pedarchanna S/o Pallaiah r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
31. Naatipallalamma W/o Gowaraiah r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
32. Vanumu Pallam Setty S/o Latchanna r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
33. Vasam chetty Yedukondalu S/o Satyam r/o Addankivarilanka
Village, Kapileshwarapuram Mandal, East Godavari District
34. Vanapally Subba Rao S/o Tataiah r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
35. Dangeti Satyanarayana S/o Narayudu r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
36. Malluri Satyanarayana S/o Nagaraju r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
37. Attili Sreenu S/o Suranna r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
38. Maargana Satti Pandu S/o Sooranna r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
39. Maargana Surya Narayana S/o Ganniya r/o Addankivarilanka
Village, Kapileshwarapuram Mandal, East Godavari District
40. Rayudu Jayantha Rao S/o Subbanna, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District
41. Chollangi Venkateshwara Rao S/o Venkat Rao
r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District
42. Golakoti Satiraju S/o Satyanarayana, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District

43. Gamidi Rma Krishna S/o Subba Rao, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District
44. Bolishetty Narayanamma W/o Kondala Rao, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District
45. Golakoti Durga Rao s/o Satyanarayana, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

46. Savaram Rama Rap S/o SubbaRao,
r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

47. Polabathula Venkataswamy S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

48. Golakoti Venkateshwar Rao S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

49. Savaram Satyanarayana S/o Sattaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

50. Golakoti Nageshwar Rao S/o Veerabhadram,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

51. Savaram Venkateshwar Rao S/o Sattaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

52. Bandaru Doraiah Naidu S/o Ganganna,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

53. Savaram Veera Venkata Satyanarayana S/o Surya Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

54. Bandaru Ganga Raju S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

55. Polabathula Macharaiah S/o Nageshwar Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

56. Nalla Veera Babu S/o Surya Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

57. Polabathula Nageshwar Rao S/o Rama Krishna,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

58. Medida Satyanarayanamma W/o Butchi Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

59. Polabathula Satyanarayana S/o Dharma Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

60. Savaram Satyanarayana S/o Surya Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

61. Polabathula Mallikarjuna Rao S/o Ganga Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

62. Bandaru Srinivasa Rao S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

63. Gamidi Satyanarayana S/o Subba Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

64. Savaram subrahmanyam S/o Rama Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

65. Golakoti Venkateshwara Rao S/o Veerabhadram,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

66. Nallam Venkateshwara Rao S/o Tanmaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

67. Nallam Nageshwar Rao S/o Butchi Venkat Raidu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

68. Bandari Suri Babu S/oSatyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

69. Ungarala Venkateshwara Rao, S/o Venkat Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

70. Savaram Gopala Krishna S/o Veera Raghavulu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

71. Savaram Satyanarayana Murthy, S/o Subba Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

72. Polabathula Naga Durga Rao S/o Baga Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

73. Nallam Balakrishna S/o Natham,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

74. Nallam Venkata Shivashankar S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

75. Medida Srinivasa Rao, S/o Swamy Naidu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

76. Polabathula Durga Prasad S/o China Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

77. Polabathula Naidu, S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

78. Galidevara Bhaskar Rao S/o Pararaju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

79. Polabathula Panendra Rao S/o Venkatarama Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

80. Savaram Naga Venkatarama Rao, S/o Surya Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

81. Pulimi Venkateshwara Rao S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

82. Galidevara Pararaju Naidu s/o Bhaskar Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

83. Polabathula Chinna Nageshwara Rao S/o Pattabhi Ramaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

84. Polabathula Veeraraju S/o Sathi Raju, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

85. Polabathula China Satyanarayana S/o Doraiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

86. Polabathula Subba Rao S/o Macharaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

87. Adapa Gangadhar Surya Prakash Rao S/o Butchi Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

88. Polabathula Dhanraju S/o Satyanarayana, r/o Addankivarilanka
Village, Kapileshwarapuram Mandal, East Godavari District.

89. Polabathula Ganga Rao S/o Subba Rao,r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

90. Polabathula Nageshwara Rao S/o Subba Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

91. Polabathula Srinivasa Rao, S/o Nooka Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

92. Galidevara Kalyana Srinivasu S/o Swamy Naidu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

93. Kantchu Stambam Satyanarayana S/o Paddaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

94. Addenka Ajiji, S/o Satyanarayana, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

95. Nallam Satyanarayana S/o Veera Shankara Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

96. Addanki Venkateshwara Rao, S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

97. Saama Chittamma W/o Kondaiah, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

98. Golakuti Satyanarayana S/o Sathi Raju, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

99. Savaram Satyanarayana S/o SubbaRao,r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

100. Saama Bapi Raju, S/o Latachanna,
r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

101. Puleme Veeranna S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

102. Bandaru Naga Satti Babu S/o Sattikonda,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

103. Polabathula Srinivas, S/o Veeraraju, r/o Addankivarilanka Village,
Kapileshwarapuram Mandal, East Godavari District.

104. Polabathula Chinaveera Bhadram, S/o Doraiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

105. Polabathula Satyanarayana, S/o Matcharaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

106. Polabathula Peda Veera Bhadram, S/o Subbarayudu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,

East Godavari District.

107. Polabathula Trimurthulu S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

108. Gaalidevara Veeranjaneyulu S/o Sathi Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

109. Polabathula Venkateshwara Rao, S/o Dharmaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

110. Galidevara Annavaram, S/o Swamy Naidu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

111. Nalla Suryanarayana S/o Veera Swamy,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

112. Polabathula Venkanna S/o Doraiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

113. Kanchstambam Ajiji, S/o Paddaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

114. Nallam Krishnarjunulu, S/o Butchi Venkat Raidu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

115. Addanki Satyanarayana S/o Suranna,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

116. Chittineni Venkateshwar Rao, S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

117. Polabathula Subbarayudu, S/o Peda Veerabhadram,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

118. Raavuri Veera Venkata Subramanyeshwar Rao, S/o Venkanna,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

119. Polabathula Pattabhi Ramaiah, S/o Adiyya,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

120. Bandaru Sathu Konda, S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

121. Ravuru Srinivasa Rao, S/o Venkanna,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

122. Polabathula Srinivasa Rao S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

123. Polabathula Nageshwara Rao,S/o Narayana Swamy,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

124. Polabathula Muthyam S/o Subbarayudu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

125. Polabathula Gangadhar Surya Prakash Rao, S/o Subbarayudu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

126. Galidevara Pararaju Naidu, S/o Sathiraju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

127. Polabathula Baga Raju, S/o Subba Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

128. Polabathula Pallam Raju,S/o Nooka Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

129. Aarisetti Ram Babu S/o Subba Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

130. Kanchustambam Pallam Raju, S/o Paddaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

131. Chitneedi Bhaskar Rao,S/o Suryanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

132. Addanki Venkata Murali s/o Vengalaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

133. Addanki Rama Rao,S/o Chandraiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

134. Addanki Satyanarayana Murthy, S/o Govinda Raju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

135. Addanki Pallam Raju, S/o Chandraiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

136. Bandaru Subba Rao, S/o Ganganna,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

137. Kotikalapudi Pallalamma W/o Narasimha,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

138. Bandaru Venkateshwara Rao, S/o Ganganna,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

139. Ongurala Eshwar Rao, S/o Venkat Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

140. Savaram Aadinarayana, S/o Surya Rao,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

141. Savaram Satyanarayana S/o Veera Raghavulu,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

142. Polabathula Dora Babu, S/o China Veera Bhadram,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

143. Polabathula Narayana Swamy S/o Macharaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

144. Polabathula Satti Babu, S/o Kamaraju,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

145. Pulemey Tataji, S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

146. Polabathjula Sattipandu, S/o Pattabhi Ramaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

147. Polabathula Durga Rao, S/o Nageshwar Rao, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

148. Chitneedi Chalapathi Rao, S/o Satyanarayana,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

149. Polabathula Matcharaiah, S/o Narayana Swamy,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

150. Savaram Venkataswamy, S/o Subba Rao, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

151. Kanchustambam Nageshwar Rao, S/o Paddaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

152. Golakoti Veerabhadram, S/o Satti Raju, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

153. Polabathula Nageshwar Rao S/o Matcharaiah,

r/o Addankivarilanka Village, Kapileshwarapuram Mandal,
East Godavari District.

154. Savaram Surya Rao, S/oSattaiah, r/o Addankivarilanka Village, Kapileshwarapuram Mandal, East Godavari District.

(The Addankivarilanka is hamlet of Korumilli Revenue village, East Godavari District)

... PETITIONERS

AND

1. The District Collector, Kakinada, East Godavari District.
2. The Revenue Divisional Officer, Rajahmundry, East Godavari District.
3. The Mandal Revenue Officer,

   Kapileshwarapuram Mandal, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in trying to dispossess the petitioners from the Lanka Lands situated in Sty.No.455 part to an extent of Ac.67-00 cents i.e. 0-50 cents each situated at Addankivari Lanka, Kapileswarapuram Mandal, East Godavari District as illegal, arbitrary, discriminatory, without following the procedure laid down under law land also in violation of Articles 14 and 21 of the Constitution of India and also against the principles of natural justice and consequently declare that the petitioners are entitled for assignment of Patta/Lease i.e. 0-50 cents each in Sy.No.455 Part, situated at Addankivari Lanka, Kapileswarapuram Mandal, East Godavari District by taking into consideration that the petitioners were inducted into possession on the said Lanka Lands by the then Sub-Collector, Rajahmundry and M.R.O. Kapileswarapuram in the year 1999 as the petitioners are landless poor by receiving land revenue from the petitioners.

Counsel for the Petitioners: MR. K. SATYANARYANA MURTHY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER:

Heard the learned Counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

The petitioners, 154 in number, filed this writ petition aggrieved by the alleged action of the respondents in trying to dispossess them from the land in Sy.No.455 part to an extent of Ac.67-00, situated at Addankivari Lanka, Kapileswarapuram Mandal, East Godavari District, without following due process of law.

As can be seen from the material on record, the petitioners were issued notices under Section 7 of the A.P. Land Encroachment Act, in the year 1987, calling upon them to show
cause why they should not be evicted from the lands. The petitioners state that all of them have submitted their explanations and so far, no final orders have been passed, but in the meanwhile, the respondents are attempting them from the land in question. Hence, this writ petition.

Having regard to the specific plea raised by the petitioners that no final orders have yet been passed by the respondents under Section 6 of the A.P. Land Encroachment Act, without expressing any opinion as to the entitlement of the petitioners to continue in occupation of the said lands, the writ petition is disposed of with a direction to the respondents not to interfere with their possession in respect of the land in question, without following due process of law. No order as to costs.

G. ROHINI, J

Dated: 09-02-2005

NOTE: Issue C.C. by tomorrow.

B/o.

LSK

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER.

To

1. The District Collector, Kakinada, East Godavari District.

2. The Revenue Divisional Officer, Rajahmundry, East Godavari District.

3. The Mandal Revenue Officer,

Kapileshwarapuram Mandal, East Godavari District.

4. Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

5. Two C.D. copies.